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PRIVATE RESIDENTS AT THE
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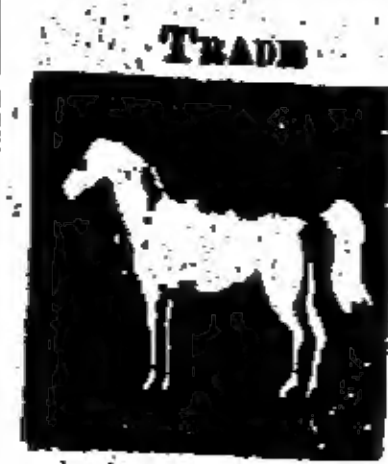
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ONLY communications relating to the news column should be addressed to THE EDITOR.

Correspondents must forward their names and addresses with communications addressed to the Editor, not for publication but as evidence of good faith.

All letters for publication should be written on one side of the paper only.

No anonymously signed communications that have already appeared in other papers will be inserted.

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The Daily Press.

HONGKONG, JANUARY 17TH, 1908

We dealt long ago with the patent anomaly of Japanese anti-gambling laws and the official lotteries in Formosa, and except that in Japan there now seems to be an enhanced activity against gambling, nothing has occurred to necessitate a return to the subject. One of our contemporaries yesterday undertook to discuss the suggestion of a heading used by a Kobe paper, "Morality limited by geography," and unfortunately at the very outset betrayed his own neglect of the study of ethical philosophy by the remark that "this aspect of morality appeals to us as something new." Apart altogether from the fact that there is nothing new under the sun, not even the newest of new cults or fads, we may mention that the geographical aspect of morality has been a repeated favourite illustration of our own in this column, and has done duty on many occasions in our discussions of Far Eastern matters. The question of the use of the stocks at Hongkong may be instanced, as a concrete example of something the employment of which is deemed politically moral here and immoral in Britain; and it may well be that the Japanese (who are diligent students of ethics) see some distinction between gambling in Japan and the same thing in their colony of Formosa. British rule in India differs somewhat with British rule in Canada, Australia, and South Africa, and what is morally right in one

place is regarded as inexpedient, not necessarily immoral, in another. But we have not quoted our contemporary in a manner to do it full justice. It says "this aspect of morality [as qualified by geographical limitations] appeals to us as something new, since morality is properly a question of individual belief." Properly, or ideally, morality ought to be a matter of immutable law, as many good people fondly but vainly endeavour to have it regarded. Their thesis is that such and such conduct is everywhere and always wrong; this and that conduct universally and eternally right. If our contemporary had sided with the universalists, it might fittingly have boggled over the geographical limitations of morality, but its naive claim that morality is a question of individual belief, and consequently (individuals and beliefs being scattered over wide geographical areas) not territorially limited, "appeals to us as something new" in philosophical argument. If morality be not, as we supposed, largely a matter of mutable social convention, with both geographical and historical limitations and modifications, but (as our contemporary cheerfully asserts) "a question of individual belief" (every man a law to himself, if words mean anything) how can this new professor of ethics go on consistently to claim that "it must be apparent that crime committed by an individual, or a Government, is criminal wherever committed"? It is quite wrong, of course. The point of view affects morality like most other things. Possibly a definition offhand may lead us into error, but we should say that nothing is immoral that causes degradation of character. We could, for instance, pass a sincere socialist as a moral man. Obviously, immorality must be conscious, wilful—a deliberate violation of an accepted code of conduct. Matricide in Hongkong is immoral, even more so among the Chinese than among Europeans. In the case of the Inuits of the Arctic circle, it is a social obligation at certain seasons, a recognised moral duty to the community. A woman no longer capable of bearing children, or a man no longer capable of hunting, merely "cumbars the ground," and they are enemies of the race at every mouthful of food they eat. So much for this "new" geographical aspect of morality. The King (for which nowadays read "Government") can do no wrong, though he or it may change its policy if the newspapers and people make a sufficiently alarming fuss. We are not concerned with the Japanese and Formosan Governments' apparently opposite views now, and merely refer to our contemporary's extraordinary philosophical divagations to illustrate the amazing indifference, obtrusively apparent during recent days, to the value and meaning of words and phrases. Our English language has grown unwieldily through the constantly recurring necessity of additions required to express fine shades of meaning. It is a pitiful commentary on the value of so many years of free, compulsory, and popular education that we should find so many "educated" people mouthing phrases in apparently complete disregard of the meaning, the limited significance, those words are capable of conveying. "Real" means "real," and "unreal" means "unreal." No pseudo-metaphysical jargon can alter that. We are prepared now, however, to admit that sometimes people are more misled than criminally careless. There are words in daily use that do not mean what they are understood to mean, mainly because they cannot. Some meanings are impossible. A word like "eternity," for instance, signifies only an immeasurable time; the human brain won't hold a concept of "any more, unless it resorts to the figure of a circle (as the Buddhists do) and then we cannot possibly conceive of a circle without an outer environment. When the finite mind talks of infinity, it must abandon all pretensions to logic. It becomes as lucid as the idiomatic "what d'ye callen" of London or the "je ne sais quoi" of Paris.

A chance heard conversation on the Kowloon Ferry the other night suggested to us a sample that is not obscured by too much subtlety. Take the word "loyalty," on which many people pride themselves. One would think to hear people talk that loyalty is a virtue, whereas, under analysis, it betrays itself as a sheer insult. The person who claims to be loyal, either to country, ruler, faith, or spouse, implies efface. Imagine a man tactless enough to assure the queen of his heart that he was loyal to her. She could fairly claim, prima facie, that conscious loyalty indicated disloyal inclinations overcome, that is to say, inadequate affliction to begin with. To be loyal to a ruler one has no respect for, or to a faith one begins to doubt, is to be untrue to one's self, disloyal to truth. Conscious loyalty implies dubious devotion; unconscious loyalty needs a better word—it is, in fact, undistracted devotion. So much for words and phrases. The world reads too much and thinks too little. Worse still, it writes and talks more than it thinks. When it begins to digest more, and uses words more carefully, only to express ideas, it will be less open to swallow absurdities. A gifted conferee, the late Mr. QUINCY, once complained that there is an unfair proportion of the Un-Idea'd, who make rules for all the world and punish their infraction. He meant ideas, *bien entendu*, not mystical dreams, so it will be seen that our little excursion is less academic than it seems; that it has, in short, some practical bearing.

The German Mail of the 18th December was delivered in London on the 15th inst.

A letter about the Sikh Guru is withheld, in accordance with the terms of our notice to correspondents, which are not to be ignored.

Mr. G. Friesland, of Messrs. Melchers & Co., has joined the board of directors of the Hongkong and Shanghai Banking Corporation in place of Mr. Armin Haupt.

At the Police Court yesterday Mr. F. A. Haselard disabused Bikan Mahomed, the Sanitary foreman accused of accepting bribes on the ground that there was insufficient evidence.

A Chinese youth, thirteen years of age, appeared before Mr. H. H. J. Gompertz at the Police Court yesterday on a charge of snatching two bangles from an infant. The charge was proved, and His Worship sentenced the defendant to receive ten strokes of the birch.

Volunteer information is that the following members passed as gunlayers at the recent examination held by the Instructor in Gunner and Range Finding, viz.:—Bomb. Loungring, Corp. Crawford, Corp. Capron, Bomb. Jackson, Gunner Walling, Corp. Bideu, Corp. Sayer, Gunner Masul, Gunner Pacey, Gunner Jacks, Gunner Hamphrey, Gunner Warrack, Gunner Chapman.

Very little interest is taken in Germany in the Abu Musa incident. One or two violently Anglophobe newspapers have been urging the immediate application of the "mild fist," but the few other papers which refer to the matter support the Government in the attitude that no opinion concerning the incident can be formed until full and trustworthy information respecting it has been received. The *Magdeburg Ztg.* insists, nevertheless, that the claim shall be upheld that Germany has equal rights with England to trade in the Persian Gulf, to establish a coal depot there, and to dig for oil.

George Stille, a colliery workman, who, in a drunken frolic, murdered his mother at Rongy, Gwynedd, was hanged last month at Cardiff. He walked without a tremor to the scaffold. In a letter to his father, signed "A Pardoned Sinner," he said, "I am very glad to tell you God is keeping me up wonderfully well, and I hope and trust that you will meet me in Heaven. I am very sorry that I have brought this disgrace upon you, but you must try and bear up the best you can. Dear old Dad, I know it is very hard, but remember 'God giveth and God taketh away.' I can't write any more now. This is my last letter upon earth, but 'God be with you till we meet again.'"

In the course of the proceedings in the German Budget Committee the Secretary of State for the Imperial Navy gave some confidential information with regard to the new battleships, their guns and their armor, and also dealt with the employment of turbines. Among other things, he stated that the average cost of a warship in Germany was not higher than in England. He discussed the English and the French submarine boats, and explained that Germany had profited by the experience of her neighbours and was proceeding with caution and economy to construct vessels of this character. Some £350,000 are asked for experimental constructions. In view of the nature of the North Sea coast only a special type of submarine was at present contemplated. Admiral von Tirpitz also gave information with regard to the plans for broadening the Baltic and North Sea Canal in the interests of the navy, and he further stated that efforts were being made to induce Prussia to widen the locks at the mouth of another canal at Emden.

Although the trade between Japan and India is still in a state of infancy the demand for Japanese merchandise, the "Japan Times" remarks, seems to be remarkably increasing of late. Mr. Morita, Director of the Bureau of Commerce and Industry of the Department of Agriculture and Commerce, who has gone to India on a tour of inspection, is reported as stating that although the bulk of Japan's trade with India consists in the export of silk textiles, matches, knit work, and camphor, against the import of raw cotton and rice in large quantities, business is steadily growing compared with former years. Last year the exports, which were over one and a half million yen in value, were silk textiles (5,918,787 rupees) matches (1,192,900 rupees), knit work (1,982,829 rupees), camphor (825,549 rupees), and garments (659,558 rupees); whereas the imports from India above the same amount of value were raw cotton (169,695,662 rupees) and rice (27,936,651 rupees). It may be noted in passing that whereas the N. Y. K. placed only three liners on its service to Bombay before the war, it has now doubled the number. Some of these steamers are reported to be prizes, taken in the late war, which have been lent by the Japanese Government to the company without charge, in the interests of low freight.

Having completed her two years' commission on the China Station, H. M. S. "Monmouth" left for Colombo yesterday. There she will be recommissioned preparatory to her return to this station.

By the s.s. "Empress of India" yesterday Mr. R. T. D. Sayle, the energetic secretary of the Philharmonic Society, left the Colony. In recognition of his labours for the Society during his term of office a number of members foregathered to bid him farewell, and presented him with a handsome silver rose bowl as a token of their esteem and regard.

A *plebe* coolie yesterday told his Worship, Mr. F. A. Haselard, that he had been driving a sailor about for a long time, and not knowing where he wanted to go, asked a Cantonese what to do with him. As a Sikh policeman saw him helping another man to ride the sailor's pockets, however, His Worship sentenced the coolie to three months' imprisonment and four hours' stocks and ordered that he do his term in the stocks opposite the Naval Station.

When the condemned old battleship "Hera" was used as a target recently off Kent, the excellence of British naval shooting was exemplified by a performance done by the gunnery officer "Duke of Edinburgh," one of the vessels in Sir Percy Scott's squadron. With her guns directed from the first control position, she made hits at 13,000 yards or seven and a half miles. The battleships "Hibernia" and "Demicion" fired armour-piercing projectiles from their big guns, but they failed to pierce the armoured portion of the "Hera." The experiments have thus confirmed the results observed in the Russo-Japanese war, and shown that at the present time a battleship's armour is capable of resisting projectiles at all practicable ranges.

ANOTHER COLLAPSE.

At about 11.30 yesterday morning three employed in the large building in Pedder Street facing the Hongkong Hotel were startled by a loud noise which was subsequently discovered to be caused by the falling in of the roof above Messrs. Luigons, Einsteinn and Co. offices. A crowd of men gathered in Pedder Street, all having heard the crash, but as they could see nothing wrong with the walls of the surrounding buildings, many proceeded to investigate, and then it was found that the collapse had occurred in the comparatively new building mentioned. Fortunately there was no one in the room, the roof of which fell in, but in the adjoining room at the time two of Messrs. Luigons Einsteinn's employees were engaged. It appears that there was a crack in that portion of the roof which gave way, and the rain getting in beneath the outside roofing permeated the inner part, thus increasing its weight and giving the beams supporting it too heavy a weight to carry. Just before the collapse the contractor was rung up and asked to attend immediately and repair the roof, but he came too late. Yesterday afternoon scaffolding was run up on the south side of the building and repairs proceeded with.

SCOTCH CONCERT.

The anniversary of the birth of Robert Burns is, as all Scotsmen know, on 25th January, and although Hongkong Scots and their friends have seldom failed to mark the date with a concert, the anniversary of 1803 is likely to be specially remembered. Lieut. Colonel M. S. Biech and his already popular officers are to lead their aid by kindly permitting the Band of 2nd "Queen's Own" Cameron Highlanders to appear at a concert to be held on Saturday, 25th January, in the Theatre, the proceeds of which will go towards the "Building" Fund of the Union Church, a very worthy object.

The first public appearance of the Cameron Band, being as it is on a Burns' night, is most appropriate, and as the concert is under the patronage of the President (Mr. Robert Shaw), Vice-President (Hon. Mr. W. Chastina, C.M.G.), Past President (Mr. T. F. Hough) and Committee of St. Andrew's Society, success should be assured. The concert will be a variety one and in addition to selections by the Band of 45 members, there will be Pipe Selections, Sword Dance, Reel, and songs both grave and gay. Several of our leading local singers are to assist in addition to the Cameron Highlanders. Booking has already commenced at Messrs. S. Montrose & Co., Ltd., an even charge of \$2 to any part of the Theatre being made.

IMMIGRANTS FOR CANADA.

IMPORTANT ORDER.
We are requested to publish the following telegram from the Governor-General of Canada to the Governor of Hongkong, dated 14th January:—

Canadian Government have ordered, during continuance of present conditions of Canadian labour markets immigrants shall be prohibited landing unless they come from country of birth or citizenship by continuous journey and on through tickets purchased before starting. Please give publicity to this order, informing steamship companies and newspapers.

LOCAL SPORT.

RUGBY FOOTBALL.

The Club, playing in colours, will oppose a Naval team this afternoon at 4.15 p.m. sharp, when a very good game is expected. The following is the Club XV:—B. Johnson, full back; F. C. Carroll, A. O. a g. A. A. Claxton and L. J. Wislitt, three quarters; L. J. Blackburne and F. J. MacGregor, halves; G. D. McIlraith, F. C. Hall, H. W. Lester, R. O. Hutchinson, D. B. Stanton, E. Linton, L. Warbrooke and W. J. Daniel (Capt.), forwards.

TELEGRAMS.

["DAILY PRESS" EXCLUSIVE SERVICE.]

PERSIA.

LONDON, January 16th.
Serious fighting has occurred in Persia.

COTTON.

LONDON, January 16th.
The Board of Trade is intervening in the Lancashire cotton dispute.

THE BOXER INDEMNITY.

LONDON, January 16th.
The United States Government has decided to remit half its claim in the Boxer indemnity.

A WIN FOR AUSTRALIA.

LONDON, January 16th.
The Australians have won the third test match by 245 runs.

[REUTERS' SERVICE.]

THE PORTE AND THE POWERS.

LONDON, January 14th.
The Powers have presented a note to the Porte insisting on a prompt assent to a renewal of the mandates of the foreign reform agents in Macedonia.
The Porte has called out Redif, for strengthening the Salonika army corps to a full war footing apparently in preparation for anticipated events in the spring, or as a demonstration to the Powers of what Turkey is able to do in Macedonia.

MOROCCO.

LONDON, January 14th.
The proclamation of Muli Hahl as Sultan, at Fez, is recognised as a grave event and is causing perturbation in Paris. It is thought in some quarters that it has disposed of a question of importance in view of the constant see-saw of Morocco in politics.

ORIENTALS IN THE TRANSVAAL.

LONDON, January 14th.
Eight Indians and Chinese have been ordered to be expelled from the Transvaal for "pick-nicking."

LATER.

The leaders of the Chinese Association have been arrested in Johannesburg.

THE UNITED STATES AND JAPAN.

LONDON, January 14th.
It is anticipated in Washington that it may be necessary to await the arrival of Mr. Takahira, before completing the immigration negotiations with Japan.

RUSSIA.

LONDON, January 14th.
The Tsar has appointed General Stolypin Secretary of State.

DISASTROUS FIRE AT A SHOW.

LONDON, January 14th.
One hundred and fifty, mostly women and children, have been burned or trampled to death, and seventy-five injured, at a fire at a cinematograph performance at Boyertown, Pennsylvania. For five minutes the auditorium was a furnace.

UNITED STATES FINANCE.

LONDON, January 14th.
The Washington Government has purchased 200,000 ounces of silver at 56.74 cents.

LATER.

New York announces the suspension of the Stock Exchange of the important firm of Robert Maely & Co., with liabilities of £300,000.

PERSIA.

LONDON, January 14th.
Russian and German despatches from Teheran state that the Prime Minister reports that he was surrounded by Turkish Kurds near Sybulak, and that the treasury of £30,000, and a large number of rifles were captured.

BOER TEA.

PLANT THAT GROWS WILD ON THE VELD.
Specimens of "Boer tea" were exhibited at the show of Colonial produce at the Royal Horticultural Hall. The plant grows wild on South African veldt.

Until recently it had only been cultivated by Boers, but it has now attracted the attention of the English, and it is likely that before long large quantities of the "tea" will be sent to England. Meanwhile, any one can gather it. The leaves are unlike the ordinary tea leaves. They look more like tobacco or the twigs of a tree. No one would think of putting them in a teapot.
Yet any one who tests the tea will have a pleasant experience. Nothing extraordinary happens when the water is poured on. The twigs swell, and in a few minutes produce a rich brown liquid which is very much the same as ordinary Indian or China tea, except that there is a strong aromatic smell and a rather sweeter flavour.

THE LIMEWASHING CASE.

At the Police Court yesterday afternoon Mr. F. A. Haselard delivered his decision in the case in which Chan Hin-shan, contractor of 24, Stanton Street, was charged on several counts with fraud. The defendant, it will be remembered, after having severed his contract with the firm which did certain limewashing for Messrs. Linstead and Davis, was alleged to have presented bills on account of this limewashing and demanded payment. Mr. M. W. Slade, instructed by Mr. A. Holborow (of Messrs. Dawson, Lockyer and Dawson) appeared for the prosecution, Mr. C. K. Hall Brutton (of Messrs. Brutton and Hett) representing the defendant.

His Worship, having regard to the leaning of the witnesses in the case, said he was of opinion that the story told by the defendant and his witnesses was the true one. The evidence of the defendant was given in a very clear and convincing manner; also that of Chan Fong, the accountant of the new firm. The latter's evidence created a very favourable impression on His Worship's mind. With reference to the three documents, the tender, the list and the Sanitary Board notice, he also believed the evidence of the defendant with regard to these. With reference to the question as to whether the defendant was told to make out the bills in the new firm's name, his Worship had a little doubt about the point, but he thought the probabilities were that he was not. Defendant saw at a glance that there was an excellent opportunity on his part to advertise to Mr. Matland this new firm. Regarding the question as to whether the defendant used the word "settled" or "settled," his Worship was of opinion that he used the former, and that both Mr. Matland and Mr. Slade misunderstood what he said. Then there was the question of presenting the bills and falsely pretending that Ho Hek-chen had done the work. His Worship was of opinion that the defendant presented the bills solely for the purpose of advertising his firm. Although his Worship's decision was in favour of the defendant he did not wish him to learn the Court under the impression that the Court approved of his conduct, because his Worship did not. Again, the putting up of the signboard might have been within his legal rights, but his Worship certainly thought he behaved very badly. He showed all through by his conduct in the matter, that he desired to harass, annoy and wantonly affect the complainant. His Worship then discharged the defendant.

CHINESE SCHOOLBOYS.

Dr. Bateson-Wright tells some amusing and suggestive stories in this month's *Yellow Dr.* on of experiences with his pupils at Queen's College. The following verbatim account of an interview with the Head-master fits our editorial to-day, as showing that while a language may be "exact" (as Chinese is said prominently to be) it does not always get fairly treated. The conversation was entirely in Chinese, and the translation is guaranteed to be faithful.

A boy with no books in hand enters the office.
What leave?
What for?
Nothing.

You are talking nonsense, come back when the Chinese Master comes.

He accordingly does so, and addresses the Chinese Master.

What leave?

What for?

Nothing.

Don't be a fool, you are talking nonsense.

After considerable trouble the boy advances another stage.

What leave, come back.

He wants to report return to duty and that is the mysterious manner in which he does it.

This has happened a dozen times at least this year.

In interview No. 4, it was quite possible that the aged man's relatives were innocently anticipating the event. Leave was requested for a pupil on the score of his grandfather's death. It was discovered that the boy had already been absent six weeks, or a month prior to the death, and the explanation was that he had been trying unsuccessfully to find a lucky site for his grand sire's grave.

The seventh interview is typical of the Chinese disregard for vanity in the matter of excuses.

My father wants me to go to Macao.

Bring your father here.

As Isaac was suspicious of the speed with which the pseudo-Esau returned with the venison, doubts were excited at the promptness with which the desired father appeared.

Are you this boy's father?

Yes, he is my son.

Why does he want leave?

To go to Macao.

What for?

Why you see, his father wrote...

Hullo! Then you are not the boy's father.

o!

Leave refused, man and boy both go away highly amused at being discovered in an attempt at fraud.

THE LONDONER AT PLAY.

The Parks and Open Spaces Committee of the London County Council have issued a report showing the extent to which advantage has been taken during the year ending September 1907 of the facilities afforded for the playing of games in the parks and open spaces under the Council's control.

Game.	1905.	1906.	1907.
Bowls	17,683	24,748	21,827
Cricket	22,379	28,904	29,010
Croquet	1,460	1,535	1,376
Football	16,525	16,228	15,057
Hockey	1,755	2,241	2,330
Lacrosse	251	120	114
Lawn tennis	70,936	102,849	87,489
Quilts	1,323	2,063	3,792

The applications for cricket and football pitches, however, were considerably in excess of the number of pitches available. For the 451 cricket pitches available there were 688 applications, while 535 applications were made for the 224 football spaces.

SUPREME COURT.

Thursday, January 16th.

IN APPELLATE JURISDICTION.
BEFORE THE FULL COURT.

THE BROKEN CHARTER.

In the matter of the Lombard & Co. s. Co., appellants, and Messrs. Carlowitz & Co., respondents. Sir Henry Berkeley, K.C., instructed by Mr. R. D. Atkinson (of Messrs. Deacon, Lock and Deacon) represented the appellants, and the Hon. Mr. H. E. Pollock, K.C., instructed by Mr. Jackson (of Messrs. Johnson, Stokes and Master) appeared for the respondents.

Sir Henry Berkeley moved formally for leave to appeal to the Privy Council from the judgment delivered by his Lordship the Chief Justice in the case of Carlowitz & Co. against the Lombard & Co. on the usual terms, the appellants paying the costs.

Leave was granted on costs being paid, and security given as required by the rules.

THE HATWAT REFORMS.

In the matter of In Kai-sing alias In Chan, and in the matter of the Chinese Extradition Ordinance No. 7 of 1894. Hon. Mr. W. Rees Davies, Attorney-General, instructed by Mr. G. E. Morrell from the Crown Solicitor's office, appeared on behalf of the Crown, and Sir Henry Berkeley, K.C., instructed by Mr. Otto Kong Sing represented the prisoner.

Sir Henry Berkeley stated that there had been filed on behalf of the fugitive from China, In Kai-sing, who was detained in Victoria Jail, a notice of appeal from a decision of Mr. Justice Wise refusing an application for *habeas corpus*. There had been concurrently filed a substantive notice of motion before the Court in its original jurisdiction to grant *habeas corpus*. It would be for him to satisfy the Court that the procedure was regular, that the Court had the power to entertain the appeal, and also that it had the power alternately to entertain the motion for *habeas corpus*. As Counsel intended to raise questions which he had not raised on the appeal, most important and far-reaching points, he would prefer their Lordships to treat the matter as a motion for the granting of a rule for *habeas corpus*. He could then bring before the Full Court points he had not submitted to the individual judges.

The Attorney-General—Perhaps I had better shorten matters by saying I shall contest that no appeal lies in this procedure.

The Puisse Judge—Because it is criminal?

The Attorney-General—Yes, and furthermore I shall contend that your Lordships have no power to grant a rule of discharge.

The Chief Justice—Is not that governed by what took place in the other *hab* as *corpus* case; the case of seven witnesses? I think we will leave it to the Attorney-General to substantiate his point.

Sir Henry Berkeley—As for the motion for *habeas corpus*, I will refer you to *re Jackson*. I want to do was done in that case, move the Court alternately.

The Puisse Judge—It comes to this; that you can move for a *habeas corpus* in any Court in the Colony?

Sir Henry Berkeley—That is to. It is laid down that a man has the right to go to every Court in the realm, including the Appeal Court. The Chief Justice—Are you going to press this point, Mr. Attorney? If so, we ought to hear you.

The Attorney-General—I should like to say something on both points.

The Chief Justice—If we were with you we should not hear Sir Henry Berkeley further.

The Attorney-General submitted that no appeal lay in this case from the decision of the learned judge discharging the rule. This was tantamount to an appeal from a criminal trial. The magistrate, under the Extradition Ordinance, committed the fugitive criminal, and the learned judge was asked to make a rule absolute reversing the decision on a criminal matter of the Court below.

The Chief Justice—The test of a criminal matter would be whether a discharge was equivalent to an acquittal.

The Attorney-General—Assuming the learned judge had made a rule absolute, it would have been tantamount to an acquittal of the prisoner. I may say at once I am merely taking this point because I regard it my duty to do so.

The Chief Justice—You contend that on a discharge on *habeas corpus* no further application for extradition can be made.

The Attorney-General—Not in respect of that offence. The case quoted by Sir Henry Berkeley had no bearing on the subject. It would apply in the case of the Full Court hearing an application in the first instance. In this instance the application was not made to the Full Court at first.

The Court decided that there was an appeal. Sir Henry Berkeley then read the declaration of In Kai-sing in support of his motion to the Court for *habeas corpus*, and raised the point that the warrant issued by the Chinese should have been more precise. The prisoner was charged with armed robbery within the wide jurisdiction of China. That was a warrant which no magistrate could issue for the arrest of a British subject, and if he did, it would be quashed. On such a warrant it would be possible to prove anything later on, and only given sufficient inducement there would be witnesses to come forward. On the warrant there was nothing to show who it was the prisoner was supposed to have robbed, where it was the man committed the offence, or when.

The Chief Justice—Under section 10 a magistrate has to commit if the evidence is such as would justify his committing for trial at the Supreme Court. Does that carry with it the necessity that the warrant should be in the same form?

Sir Henry Berkeley—Yes, my Lord. There must be the same precision and particularly

in a warrant under extradition proceedings as in other proceedings. This man has been in Jail since June 24th, and it is now January 16th.

The Chief Justice—That is a very important question.

Sir Henry Berkeley put it to their Lordships that the Court tried everything in *favorum liberatis*. A man could not be arrested on a warrant charging him with armed robbery in the British Empire, and people be brought to say that he robbed them some months previously in Sydney. What Court would listen to such an allegation as that? What possible means of defence had a man on such a warrant? The danger was apparent at once. Here on June 24th there was a reward out for the prisoner as a rebel leader; and later he is arrested on a charge of armed robbery because it was known that the British Government would not extradite a rebel. This Court ought, by discharging the prisoner, to show its disapprobation of the issuing of such warrants by which persons are to be deprived of their liberty.

Another objection which he wished to raise was a very serious matter, as it put the Court in a position in which it would have to decide the validity of a Colonial Ordinance, and there was no doubt that the Supreme Court of every Colony had the power to do that. Not only had it the power, but it was the Court's duty to pronounce definitely upon the validity, if the question of validity was raised. The Colonial Legislature of Hongkong, as such, had no jurisdiction beyond the territorial limits of the Colony. Unless such validity were given it by the Imperial Government, as in the case of the Merchant Shipping Act, the Colonial Legislature was subordinate to its charter, and could only legislate within the limits described by the charter and "for the peace, good order, and good government of Hongkong, within the limits of the territory of Hongkong." He submitted that the Ordinance which provided for an offence committed beyond the limits of Hongkong, and for the deportation of such a person beyond the limits of the Colony, was obviously an excess of the powers of the Legislature.

The Chief Justice—The case is really this: there is a treaty entered into between our Sovereign and the Empire of China. The Ordinance is passed and put into operation.

Sir Henry Berkeley—The King could not, by assenting to an act of the Legislature, extend its powers beyond those conferred on it by the charter.

The Chief Justice—In a Crown Colony the King has power to legislate by Order-in-Council, and can exercise any rights he likes in that way.

Sir Henry Berkeley—In the exercise of his undoubted prerogative he must legislate only for "the peace, order and good government of Hongkong."

The Chief Justice—He has absolute power.

Sir Henry Berkeley—He cannot legislate in Hongkong for Jamaica or Singapore.

The Chief Justice—I agree with you thus far: that the Ordinance is not within the powers of the Legislative Council.

Sir Henry Berkeley—It is on an Ordinance assumed by the Legislative Council that this man is now in prison.

The Chief Justice—That is where I don't agree with you. The basis of this Ordinance is a treaty made in virtue of the King's prerogative, quite independent of the powers of the Legislative Council.

Sir Henry Berkeley contended that there had been no legislation by the King in his Privy Council. An interesting case had been decided on that point in New Zealand. Assuming that the King could legislate by Order-in-Council for Hongkong, had he done so in fact in respect to the Treaty of Tientsin. Counsel submitted that his Majesty must exercise his power with the advice of the Privy Council, and further, that his Majesty could only legislate within the charter.

The Chief Justice—Can the King limit his own prerogative?

Sir Henry Berkeley—I have no hesitation in submitting that the Sovereign, having once granted a charter to his people, is bound by his charter.

The Puisse Judge—Suppose you go further. Can he go outside it?

Sir Henry Berkeley—He is bound by the charter which he has granted in his graciousness.

The Chief Justice—I am certain it is laid down that the King cannot limit his own prerogative.

Sir Henry Berkeley pointed out that the charter represented the people's liberty. He submitted that the King had not, as a fact, legislated by Order-in-Council in regard to the Extradition Ordinance, and that the Legislative Council had no power to pass such an ordinance. There was no legislative authority existing in Hongkong by which effect could be given to the Treaty of Tientsin.

The Chief Justice—The Court will express an opinion on the points raised later.

LATEST STEAMER MOVEMENTS.

The C. N. Co.'s str. *Turning* left Manila on 14th inst. and is due here to-day.

The C. N. Co.'s str. *Kiutiang* left Shanghai on 15th inst. and is due here on 19th inst.

The C. N. Co.'s str. *Katong* left Hainan on 15th inst. and is due here on 20th inst.

The Danish str. *Siam* left Kobe on Tuesday, the 14th inst. p.m., and may be expected here on or about Tuesday, the 21st inst.

The I.G.M. str. *Prins Sigismund* left Sydney on Tuesday, the 14th inst. at 4 p.m., and may be expected here on or about Thursday, 21st prox.

The I.G.M. str. *P. R. Lister* will leave here on Wednesday, the 15th inst., arrived at Genoa on Tuesday, the 14th inst. at 7 a.m.

The S.S. str. *R.M.S. Empress of China* which left Hongkong on the 19th ult. and Yokohama on the 26th ult. arrived in New York on Tuesday, the 14th inst. thus making a transit of 26 days from Hongkong and 19 days from Yokohama.

CORRESPONDENCE.

"CHRISTIAN SCIENCE."

(TO THE EDITOR OF THE "DAILY PRESS.")

Sir,—Are you not letting some of your correspondents get wide of the local issue so ably defined by yourself at the outset of the present agitation? Let us have something about actual local cases. I have heard that a local "healer" claims to have cured a sick out on the Peak, and that an application (no doubt joyful) for the treatment of a China pony was refused on the ground that, being engaged in the immoral work of racing, the latter animal was not entitled to relief. Can anyone tell us about these or other local activities of the new healing art?—Yours truly,

CLEEK.

(TO THE EDITOR OF THE "DAILY PRESS.")

Hongkong, January 16th, 1908.

Sir,—In the scheme of the pseudo "Christian Science" it would seem as if the founder had overlooked, or not met with a certain authority of some antiquity called "The Bible" or the incongruity of naming it "Christian" would have been apparent, seeing that it directly contravenes Christ's teaching as to the relation of the mental and material. He expressly affirms in His Sermon on the Mount that "thou canst not make one hair black or white," and further on "which of you taking thought, can add one cubit to his stature?"

Perhaps it is following the French play in which the sham doctor, to cover his mistake as to the heart's position, explains, "Nons avons change tout coin." The biblical assertion of the inability of the mind to alter fixed conditions of the body seems conclusive, that is to say, if the person responsible for the opposite claim has not, in her communion with Duty which she asserts she possesses, been favoured with later information. That is perhaps possible, as the organ of the institution "Health and Science" has gone through about 40 editions with additions and omissions, and as it is explicitly claimed as a Divine revelation, it opens up worlds of possibilities in that direction.

By the way, your correspondent's suggestion re shaving, if the Scientists could work it up successfully, might bear practical fruit. Why not a Christian Science Barber-shop, immaterially a material beard removed with imaginary razors, and payment made in similar coin? The idea is alluring. Campbell Moore & Co. Ltd. shareholders might take note of this.—Yours truly,

C. V. LLOYD.

MACAO.

(FROM OUR CORRESPONDENT.)

January 15th.

PROPOSED CITY IMPROVEMENTS.
The government at Lisbon has sanctioned the expenditure of a sum not exceeding \$100,000 on improvements in the City of Macao, including the making of roads in the bazaar and lanes in other parts of the City with a view to improving the sanitation of the City. The vote for the undertaking does not appear to err on the side of extravagance, as the scheme involves the appropriation of considerable house property. Its progress will be watched with interest by the public, and especially by the landlords affected.

On Saturday morning the military guard at the public gaol discovered that four prisoners had escaped from their cell. The suspicions of the guard were aroused by the silence within the cell. Accordingly the turnkey was sent for, but he could not be found within the precincts of the gaol. Ultimately he was found at Tapaio where he runs a small dairy. On his return to the gaol and opening the cell door the guard's suspicions were confirmed. The prisoners had out one of the iron bars of the cell window, but apparently finding that they could not successfully escape by the window, they broke the wooden ceiling of the cell and made their way on the roof, finding a safe exit apparently in another part of the prison yard. This is the second time an escape has been made recently from the gaol, and it is obvious that some inquiry is desirable as to the way in which the duties of the gaol officials are performed.

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CHINA PROVIDENT LOAN AND MORTGAGE COMPANY, LIMITED.

The report for presentation to the shareholders at the eleventh ordinary general meeting on January 29th reads:—

Annexed we have the pleasure to lay before shareholders a statement of accounts as do up to 31st December 1907.

The gross earnings for the past year amount to \$126,815.04 and after deducting all expenses, remuneration to General Manager, Consulting Committee and Auditors fees, there remains a balance of \$88,593.29 which is recommended to be appropriated as follows:—

To place to Reserve Fund... \$5,000.00
To pay a Dividend of 8 per cent on 100,000.00 old shares... 80,000.00
To carry forward to the credit of next year's account... 3,593.29

Consulting Committee.—In accordance with the Articles of Association, Messrs. J. S. W. Buren, Chow Hing Kee, Dr. J. W. Noble and H. P. White retire, but offer themselves for re-election.

Additions.—The accounts have been audited by Messrs. A. O'D. Gordin and W. H. Potts, who are recommended for re-election.

General Managers.—**HEWAN TOMES & Co.,** General Managers.
Hongkong 13th January 1908.

ACCOUNTS FOR THE YEAR 1907.

PROFIT AND LOSS.

Charges	7,356.45
Consulting committee's fees	4,000.00
Auditors' fees	2,000.00
Depreciation on residential property fund	6,957.29
Balance	88,593.29
	\$106,212.11

Balance brought forward from last year	855.75
Interest received on mortgages	2,000.00
Less interest on loans	126,815.04
&c. &c.	21,433.35
	105,361.69
	\$106,212.11

Authorised capital	200,000 shares at \$10	\$2,000,000.00
Issued and paid up	100,000 shares at \$10	\$1,000,000.00
Since issued	25,000 shares at \$10	250,000.00
		1,250,000.00
Reserve fund		115,000.00
Sundry creditors		279,040.01
Balance of profit and loss		88,593.29
		\$1,731,633.30

Loans on provident system	\$88,738.41
On mortgages, shares, &c.	409,598.92
	1,184,777.34

Investment of reserve fund	8,800 shares General Bank	\$88,000.00
General Co., Ltd. at \$12	\$105,600.00	
200 China Light and Power Co., Ltd.	\$2,000.00	
Ld. debentures at \$100	\$25,000.00	
	130,600.00	

Property at West Point (Po)	
Godowns & other property	\$84,250.00
Less on Mortgage	40,000.00
	381,350.00

2500 Shares China Light and Power Co., Ltd.	\$25,000.00
2500 special shares China Light and Power Co., Ltd.	\$25,000.00
Less sale of 500 shares China Light and Power Co., Ltd.	\$5,000.00

